

Original

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EXHIBIT

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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA,
NEWPORT NEWS DIVISION

BOBBY BLAND, DANIEL RAY CARTER, JR.,
DAVID W. DIXON, ROBERT W. MCCOY,
JOHN C. SANDHOFFER, and DEBRA H. WOODWARD,

Plaintiffs,

v

4:11cv45

B.J. ROBERTS, individually and in his
official capacity as Sheriff of the
City of Hampton, Virginia,

Defendant.

DEPOSITION UPON ORAL EXAMINATION OF

DEBRA H. WOODWARD

Taken on behalf of the Defendant

Newport News, Virginia

August 23, 2011

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INGRAM REPORTING
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1 recommended that you be terminated as an employee from
2 the sheriff's department?

3 A I'm not sure how to answer that question.
4 Could you rephrase it?

5 Q Sure. Would it surprise you to learn
6 that Deborah Davis, your supervisor, suggested that
7 you be terminated from the sheriff's department?

8 A No.

9 Q That would not surprise you?

10 A Oh, I'm sorry. Yes. It would surprise
11 me.

12 Q It would surprise you?

13 A It would surprise me very much.

14 Q Okay. All right. All right. And so,
15 when you were reassigned to the training department,
16 what were your responsibilities there?

17 A I was responsible for all of the
18 deputies' and civilian staff's training. I scheduled
19 all the training, coordinated it. I had to keep track
20 of all of the training records of each employee to
21 make sure that they received all of their annual
22 training to meet all of the accreditation. And, also,
23 I was a liaison to the Hampton Roads criminal
24 justice -- or the training academy when -- and I would
25 schedule deputies to go for their training at the

1 academy to be recertified and other -- you know, other
2 duties as assigned.

3 Q And how long did you stay in the training
4 department?

5 A I was in there from November of 2003
6 until December 4th, 2009.

7 Q And why were you -- why was your
8 employment terminated, if you know?

9 A Mr. Rosen, I believe my termination was
10 because of retaliation for not supporting Sheriff
11 Roberts in his campaign for reelection in 2009.

12 Q What evidence do you have that Sheriff
13 Roberts knew you were not supporting him in the
14 election?

15 A Because I -- in 2009, I did not do
16 anything actively to support him as I had in past
17 years. I would -- in past years, I put flyers out in
18 neighborhoods. I helped put signs together. I took
19 signs around to people, you know, asked them if they
20 would display the sign in their yards. I helped out
21 in the office with things that were being done for the
22 election, and I didn't work the Victory Party. I
23 mean, in past years, I helped work the Victory Party,
24 and, in 2009, I did none of those things.

25 Q Well, there are other members of the

1 Sandhofer, Dixon. I had a couple conversations with
2 Sandra Sanders, and, perhaps, I even had conversations
3 with Ms. Battle (phonetics), who -- you know,
4 entailing, I mean, how I was not happy with the way
5 things were being run and that I was basically
6 supporting Adams.

7 Q Do you believe any of those people that
8 you confided in told the sheriff that you were
9 supporting Adams?

10 A I believe that someone did. Yes.

11 Q Who?

12 A I can't say who for sure.

13 Q Well, is it fair to say that you were
14 keeping your support of Adams undercover or secret?

15 A I didn't outwardly make it known to
16 everyone, if that's what you mean.

17 Q Right. You only told your friends who
18 you thought would keep your confidence, didn't you?

19 A Well, sometimes people don't turn out to
20 be your friends.

21 Q I'm saying, but you only told your
22 friends, people you thought would keep it a secret,
23 correct?

24 A I suppose so.

25 Q And you don't know -- you have no

1 Q Okay. Were you ever present at any
2 meetings in which Sheriff Roberts made any statements
3 to employees concerning the election?

4 A Yes.

5 Q When was that?

6 A I guess it was in early September. We
7 were summoned to a mandatory meeting by our
8 supervisors to circuit court where Sheriff Roberts
9 addressed us. It was administration and all of court
10 services.

11 Q And what did he say?

12 A Basically, he said that, you know, the
13 campaign was underway, that he was looking for
14 support, and also stated that -- he said, I am the
15 sheriff of Hampton. I'm going to be the sheriff of
16 Hampton until I don't want to be anymore. And he
17 stated that -- don't get on the short train to
18 nowhere. He was referring to Adams, I believe, with
19 the short train to nowhere, basically. He stated
20 that, you know, people were knocking on his door to
21 get jobs in a bad economy and --

22 Q Is that what you remember about what he
23 said?

24 A Yes.

25 Q Okay. He never said that if you don't

1 support me or vote for me, I'm going to fire you, did
2 he?

3 A I believe in his term of saying, Don't
4 make the mistake of getting on the short train, there
5 would be some type of consequences.

6 Q Okay. And as a result, you didn't do
7 anything to let him know that you were supporting
8 Adams, did you?

9 A Not outwardly.

10 Q Okay. Now, you allege in this lawsuit
11 that Sheriff Roberts violated your First Amendment
12 rights to free speech. How did he do that?

13 A Well, I feel like I was not able to
14 express myself or my -- my feelings or who I wanted to
15 support, I mean, in --

16 Q Well, you still voted for the candidate
17 of your choice, didn't you?

18 A Yes.

19 Q And you gave him money, contributed money
20 to him as well, didn't you?

21 A Yes.

22 Q Okay.

23 A But I think everyone has a right to vote
24 and support for whomever they choose, and I don't feel
25 like that should be hindered in any way --

1 Q Okay.

2 A -- that that freedom should be taken
3 away.

4 Q So, you don't think a sheriff should
5 require loyalty of his deputies?

6 A That's not what I said.

7 Q That's essentially what you said, isn't
8 it?

9 MR. SHOEMAKER: Object to the form of the
10 question.

11 Go ahead and answer to the best of your
12 ability.

13
14 BY MR. ROSEN:

15 Q That's okay. I'll --

16 A I feel --

17 Q You don't have to answer. That's okay.
18 I'll withdraw.

19 Now, you knew when you were hired by the
20 sheriff that you served at his pleasure, you were an
21 at-will employee, right?

22 A Yes.

23 Q Okay. Did you buy tickets to the
24 sheriff's golf tournaments? Sell tickets to the golf
25 tournament in 2009?

1 A I bought tickets.

2 Q You did? Okay. So, the sheriff wouldn't
3 have known that you weren't supporting him because you
4 bought his -- not because you rejected or refused to
5 sell his tickets or buy his tickets; is that right?

6 A Would he know that? Is that what you --

7 Q I'll rephrase the question. It was a
8 poor question. It was a bad question. I'll rephrase.

9 The sheriff would not have known you were
10 not supporting him by the fact that you refused to
11 sell tickets to the golf tournament, correct?

12 MR. SHOEMAKER: Object to the form of the
13 question.

14 Go ahead and answer to the best of your
15 ability.

16 THE WITNESS: I -- Major Richardson
17 brought the tickets around and gave them to me.
18 And in past years, we were told to, you know,
19 sell the tickets, and if we didn't, we'd have to
20 buy them, and so, I bought two tickets.

21

22 BY MR. ROSEN:

23 Q Did anyone tell you that in 2009?

24 A It -- I had been doing it for years. I
25 knew what the deal was.

1 Q Okay.

2 A You either sell them or you buy them.

3 Q Okay. Well, don't some employees hand
4 the tickets back without selling them?

5 A I can't talk for other employees.

6 Q So, you don't know if other people have
7 done that; is that right? You don't know?

8 A No.

9 Q Okay. Do you know how many -- what
10 percentage of the sheriff's department's -- sheriff
11 department employees worked on Sheriff Roberts'
12 campaign?

13 A Not exactly. I mean, I know all of the
14 administrative staff, his senior staff, admin staff,
15 some of the people on shifts, court services people.

16 Q You don't know a percentage, though, do
17 you?

18 A No, I do not.

19 Q Okay. All right. You're not aware of
20 any of Sheriff Roberts' senior staff that knew you
21 were supporting Adams, do you?

22 A I -- I would think that some of them knew
23 just because of my actions or lack of support in -- in
24 the election, doing things for the election campaign,
25 that they would have surmised that I was not

1 supporting him.

2 Q Who would that have been? Who do you
3 think would have surmised that?

4 A Captain Wells-Major, Colonel Bowden,
5 Deputy Harper, Sergeant Mays, all those people that
6 worked down in the area that I was in.

7 Q Did you tell any of them that you were
8 supporting Captain -- Mr. Adams?

9 A No.

10 Q Okay. So, you're assuming that they
11 would have deduced from your lack of exuberant
12 participation in the sheriff's campaign that you were
13 not -- that you were supporting Mr. Adams?

14 A Yes. Also and the fact that they knew we
15 were friends and that sometimes on his rounds, he
16 would come by and come in my office and would be
17 talking to me, and they would come by. I have a glass
18 window, so anybody walking by could see him in there
19 talking to me.

20 Q Did he visit you after he left the
21 sheriff's department, you mean?

22 A No.

23 Q Oh, you mean while he was still working
24 there?

25 A Yes.

1 Q He knew that you had a close working
2 relationship?

3 A Yes.

4 Q Okay. It alleges in Paragraph 18e each
5 of the plaintiffs refused to provide requested
6 assistance and support for Roberts' reelection
7 efforts. But that's not true in your case, is it?

8 A No. Repeat the question, please.

9 Q In Paragraph 18e of the complaint, it
10 says, Each of the plaintiffs refused to provide
11 requested assistance and support for Roberts'
12 reelection efforts. But that's not true in your case,
13 is it? You bought raffle tickets for him, for the
14 sheriff, didn't you?

15 A Right.

16 Q Okay. Now, you never expressed
17 opposition to Sheriff Roberts to anyone at the
18 sheriff's department, did you?

19 A Expressed opposition?

20 Q Or say anything derogatory about Sheriff
21 Roberts to the senior staff at the sheriff's
22 department, did you?

23 A No.

24 MR. SHOEMAKER: Object to the form of the
25 question.